

KNOX COUNTY AIR POLLUTION CONTROL BOARD MEETING

The Knox County Air Pollution Control Board met in regular session on Wednesday July 15, 2015 at 4:00 p.m. in the 2nd Floor Main Conference Room of the Knox County Health Department, 140 Dameron Avenue. Those members present were Mr. Joshua Fu, Ms. Cindy Pionke, Mr. Paul Fortunato, Mr. Steve Hillenbrand, and Dr. Michael Miller. Also present were Ms. Lynne Liddington and members of the Knox County Department of Air Quality Management staff.

Mr. Steve Hillenbrand, Vice-Chairperson, presided.

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The following proceedings were had and entered of record to wit:

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In re: Roll Call

Mr. Steve Hillenbrand called roll, and it was determined that a quorum was present.

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In re: Approval of Minutes from Meeting of April 15, 2015

Mr. Steve Hillenbrand asked if there was a motion to approve the minutes from the April 15, 2015 meeting. Dr. Joshua Fu moved that the minutes be approved as read. Mr. Paul Fortunato seconded the motion and upon vote, the motion carried.

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In re: Amendments to the Agenda

Mr. Steve Hillenbrand asked if there were any amendments to the agenda. There were none.

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In re: Director's Update

Ms. Liddington informed the Board that the new Board member representing the Knoxville City Government is Mr. James Hagerman. The new Board member representing Pellissippi State Community College is not known yet.

Ms. Liddington updated the Board on the Department's staffing. Steve Esposito introduced himself to the Board. Mr. Esposito is a new Environmental Specialist I. Ms. Liddington informed the Board that the Department may be hiring another new staff member soon; she will keep the Board informed on this development.

Ms. Liddington confirmed that Knox County's re-attainment classification for ozone was published in the Federal Register on Monday, July 13, 2015, and should be final 30 days from that date. However, the new ozone ambient standard is expected to be finalized on October 01, 2015. There is some probability that it will be a more stringent standard. Knox County may be able to meet the new standard if it is set at 70 ppb.

Ms. Liddington let the Board know that the PM2.5 data for the years 2013 and 2014 was well under the ambient standard. These results were provided by the new lab analyzing the monitoring data, Inter-Mountain Laboratories. The data for this year so far, 2015, also is looking good.

Ms. Liddington reminded the Board that the election of chair and vice-chair will be held at the upcoming October Board Meeting.

Ms. Liddington informed the Board that the Knox County Law Director had confirmed that members of the KCAPC Board were term-limited, i.e. no more than two consecutive 4 year terms. Board members elected to a second (or more) consecutive term in 2013 will not be able to serve beyond 2017. Likewise, sitting members re-elected this year, 2015, will not be able to serve beyond 2019. It is possible there is an exception to the term limits if no one else (from the nominating group, e.g. Knoxville Academy of Medicine) is qualified and/or willing to serve.

Ms. Liddington introduced Mr. Daniel Sanders, representing the Knox County Law Director's Office, to discuss the previous request by the Board on the possibility of members participating in their meetings electronically. Mr. Sanders told the Board that his opinion was that electronic participation would be permitted under State law, subject to certain restrictions, which should be specified in the Board's by-laws. However, Mr. Sanders stated that there is a State Attorney General's opinion which says such electronic participation is not allowed for agencies such as the Board. That opinion was made in 1999. Mr. Sanders, when asked by the Board, agreed to contact the State Attorney General for an updated opinion on this matter and let the Board know the results.

The Board also suggested providing for a primary, alternate, and also a 2nd alternate date for the Board meetings when publishing the public notices.

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In re: Regulation Changes

Mr. Steve McDaniel presented the proposed regulatory amendment to Section 32.1.C (Use of Evidence). A motion to adopt was made by Dr. Michael Miller. Mr. Paul Fortunato seconded the motion. And upon vote, the motion carried.

A complete copy of this regulatory action is filed with these minutes.

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In re: Enforcement Update

Mr. Steve McDaniel told the Board some details regarding the 25 NOV's for Open Burning issued since the April, 2015 Board meeting. He also addressed several enforcement actions taken for other regulatory infractions, involving airborne/windborne materials, reporting requirements, and permit requirements.

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In re: Citizen's Comments and Requests

Mr. Steve Hillenbrand asked if there was anyone present who wished to address the Board. There was none.

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In re: Other Business

Mr. Steve Hillenbrand asked if there was any other business to attend to by the Board. There was none.

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In re: Adjournment

Mr. Steve Hillenbrand asked if there was a motion to adjourn. It was so moved and seconded, and the meeting was adjourned.